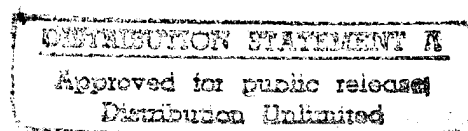


The DECLARATION of
INDEPENDENCE
and
The CONSTITUTION of
the UNITED STATES
OF AMERICA



19960722 005

DTIC QUALITY INSPECTED 1

THE DECLARATION of
INDEPENDENCE
and
The CONSTITUTION of
the UNITED STATES
OF AMERICA

THE TEXTS
with an Introduction by
Richard G. Stevens

National Defense University Press
Washington, DC

National Defense University Press Publications

To increase general knowledge and inform discussion, the Institute for National Strategic Studies, through its publication arm the NDU Press, publishes *Strategic Forums*; McNair Papers; proceedings of University- and Institute-sponsored symposia; books relating to U.S. national security; and a variety of other works designed to circulate contemporary comment and offer alternatives to current policy. The Press occasionally publishes out-of-print defense classics, historical works, and other especially timely or distinguished writing on national security.

Opinions, conclusions, and recommendations expressed or implied within are solely those of the authors, and do not necessarily represent the views of the National Defense University, the Department of Defense, or any other U.S. Government agency. Cleared for public release; distribution unlimited.

Portions of this book may be quoted or reprinted without permission, provided that a standard source

credit line is included. NDU Press would appreciate a courtesy copy of reprints or reviews.

NDU Press publications are sold by the U.S. Government Printing Office. For ordering information, call (202) 512-1800 or write to the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

Introduction © 1994 Richard G. Stevens
Reprinted with permission

**Library of Congress Cataloging-in-Publication
Data**

United States.

[Declaration of Independence]

Declaration of Independence and the
Constitution of the United States of America / with
an introduction by Richard G. Stevens.

p. cm

Includes bibliographical references and index..

1. United States. Declaration of
Independence. 2. United States—Constitution.

3. United States—Constitutional history—Sources.

I. Stevens, Richard G., 1925-. II. United
States. Constitution. III. Title.

KF4502.U54 1995

342.73'023—dc20.

95-37160

[347.30223]

CIP

First Printing, October 1995.

CONTENTS

Foreword	xi
Introduction	3
<i>The Declaration of Independence</i>	27
<i>The Constitution of the United States of America</i> . .	43
Amendments	81
Index to the Constitution .	109

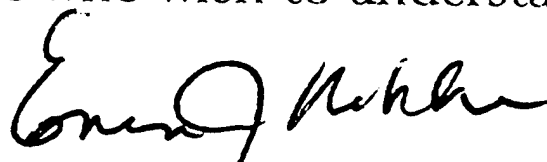
FOREWORD

The two bedrock documents of the American system of government are, of course, the Declaration of Independence and the Constitution of the United States. We need to understand these documents, especially the Constitution, to understand many of today's news reports of Congressional hearings, political campaign issues, and Supreme Court rulings. Unfortunately, there is in public discourse no shortage of commentary misinterpreting or slanting what the Constitution says about a particular issue. So, we the people are obligated to make our own judgments based on readings of the texts themselves.

Yet we often lack easy access to convenient texts of the Declaration of Independence and the Constitution. To meet that need, the National Defense University, with the invaluable assistance

of Dr. Richard Stevens, has prepared this vest-pocket edition of these texts to make them more widely available and more easily accessible. Dr. Stevens has also contributed an informative introductory essay that illuminates their historical development, particularly the development of the present text of the Constitution during the past two centuries.

Many scholars would agree with Dr. Stevens that the two documents form a "magnificent unity." Others might not. But we cannot evaluate those or any other arguments in the absence of the accurate texts. This National Defense University edition will, we trust, help to inform those who wish to understand.

A handwritten signature in black ink, appearing to read "Ervin J. Rokke". The signature is fluid and cursive, with a large initial "E" and "R".

ERVIN J. ROKKE
Lieutenant General, USAF
President, National Defense
University

THE DECLARATION of
INDEPENDENCE

and

THE CONSTITUTION of
the UNITED STATES
OF AMERICA

Introduction

Richard G. Stevens

Why publish another edition of The Declaration of Independence and the Constitution of the United States, documents that have been printed many times elsewhere? In our judgment, there can't be enough editions of our nation's founding documents. So fundamental and so vital to our national existence are they, that every literate American should possess copies, not just for reference, but to read and re-read in their entirety.

The Declaration of Independence and the Constitution, in fact, are not as readily available as one might expect. They are often printed separately, or lumped with the other founding documents in larger, less handy, scholarly

Richard G. Stevens

volumes. By printing them together in this pocketbook form, we hope to make them more widely available and better understood as a single, coherent whole. The Declaration and Constitution form a magnificent, finely crafted, timeless unity that should be pored over by anyone interested in the American system. The following brief introduction, in addition to giving some historical background, explains the unity of these documents and why it is imperative to return continually to their original meanings and intent.

The Declaration of Independence

The Declaration of Independence, the Articles of Confederation, and the Constitution appear as the first three laws in the United States Code. The Declaration is an enactment of the people of the United States that rests on the authority of the law of nature. If it were not for the self-evident truths it declares, every subsequent act of the people and of their representatives would simply be usurpations of the rightful authority of King George III and his heirs. The "self-evident" truths are not evident to everyone. If they were, there would be no need to declare them. They are like axioms in geometry in that one need not go behind them to find more primary truths as evidence from which to deduce them. Once they are declared and

Richard G. Stevens

understood, they are evident in themselves.

All men are created equal not in all respects certainly, but in the crucial political respects. They are equal in that they have by nature certain unalienable rights they secure by establishing government. By nature, human beings have an infinite number of rights but only a handful of these are unalienable. To secure these unalienable rights, all other rights are alienated—that is, signed over—to government. Thus it is a mistake to speak carelessly or indefinitely of “human rights.” *Within* civil society, one has only a tiny number of rights by nature, namely, the unalienable ones. All the rest of the rights one has are given by civil society. These latter are called “civil rights.” They are rights that considered judgment by proper authority, the

Introduction

people's representatives, finds to be consistent with civility, with civilization. A happy civil society is one in which it has been found possible to grant a great many civil rights. It takes some civilizing to develop a society capable of exercising a great many rights with civility. Merely speaking in a well-meaning manner or even with great righteous indignation does not secure rights. Therefore, everything depends on the establishment of sound government. Here the Declaration leaves us. It does not actually set up a government. It only *declares* the justification, in nature, of the people of the United States in doing so. What is declared needs to be implemented. The Declaration needs to be complemented by a constructive enactment.

Richard G. Stevens

The Articles of Confederation

The Articles of Confederation, ratified in 1781, were intended to supply the need for government. But the Articles were found to be defective. The government instituted by the Articles failed to govern and failed to secure rights. In keeping with the Declaration's affirmation of the "right of the people to alter or abolish" such a government and institute a new one, the Constitution abolishes and replaces the Articles just as the Articles filled the void left by the abandonment of colonial government under Crown and Parliament. This does not mean, of course, that there is a "right of revolution" in an individual. No individual has a right *in* a civil society to be *out* of it. This right to alter or abolish a government is not a civil right; it is a

right of nature, and it is a right of *a people*, not of a person.

The Constitution is quite as revolutionary a document as is the Declaration. It goes back to first principles, to what is by nature right and to the rights of nature made manifest in the Declaration. Because the Constitution was drafted and ratified by conventions of representatives of the people at large without bloodshed and even with few departures from decency and courtesy, we easily fail to note that it does, indeed, make a revolution. For the purposes set forth in the Preamble—union, justice, tranquillity, defense, welfare, and liberty—the people tore up the old system root and branch and ordained and established the Constitution in its place.

The Constitution

Thenceforward, the Articles were of merely historical interest. The fundamental laws of the United States now in force are the Declaration and the Constitution. The Constitution completes the work of the Declaration by actually establishing a government in order to secure rights. It is a magnificently crafted unity with a fine articulation of the parts. It is vital to appreciate the character of that unity and articulation lest thoughtless, even if well-intended, incremental change destroy it; it is sound government, not earnest declamation, that makes rights secure.

Many who claim most to be friends and partisans of the Constitution, when asked about the Constitution, speak not about it but about the amendments. But the amendments are just that, amend-

ments, and they cannot be understood except *as* amendments and therefore they cannot be understood without first understanding the Constitution itself, altogether free of amendments. The best commentary on the unamended Constitution is *The Federalist*, written in 1787 and 1788 in support of its ratification. It is still the best book on American government because even the 27 amendments have failed to alter the fundamental character of the regime established by the Constitution. The British may have a "living constitution;" we do not. In recent times great efforts have been made to recover the correct meaning and intention of the Declaration and the Constitution, most notably by the late Martin Diamond and the late Herbert Storing and by Harry Jaffa and Walter Berns. Such a recovery of the true meaning of

the documents is essential if we are not to be at the mercy of enthusiasms and slogans. Reading the documents over and over again with deliberately open minds is the single most productive means of recovery of their meaning and that is why it is essential to have them readily available for every thoughtful person.¹

We speak constantly of "our federal system," but we do not have, properly speaking, a federal system. The word "federal" never appears in the Constitution, nor do the expressions "freedom of expression" or "separation of church and state," to mention a few problematic examples. These phrases do not appear in the amendments either. The Constitution establishes a national regime lightly laced, by concessions to the hesitant party at the Convention, with a few federal principles. It depends on

strong government, moderated and refined by representation, the separation of powers, an independent judiciary, and a number of other devices for the security of rights. But it also depends on the sheer *size* and diversity of the country so that the great multiplicity of factions, interests, and sects may ensure that no one of them will ever be a majority that will dominate and oppress the minority. We have a system of representation not so as to deny to those majorities which develop out of that multiplicity their rightful rule, but only to provide that majority with the means of moderating itself, because direct democracy, however much slogans may thoughtlessly praise it, is too often careless of the rights of minorities. In ancient governments, the tendency toward runaway injustice and foolishness on the part of democracy was

moderated by what was called the “mixed regime.” To offset the potential tyranny of the majority, some offices were set aside for the rich or the wise. Thus, in Rome, some offices *belonged* to the Patricians and some *belonged* to the Plebeians. But no offices were set aside under our Constitution for the rich or the wise, and none is set aside for the poor or for any other group. That is why the devices mentioned, especially the separation of powers, are so essential in our system. They aim at that moderation that the mixed regime secured in antiquity. The Constitution depends on all these things because the security of rights is principally a *legislative*, and only to a lesser extent a judicial, function, and the laws made by the legislature are likely to be closer to justice and the general good if they issue from a legislature that is split into two

houses; is, by the accidents of demography, representative of a great variety of contending influences; and is checked by a strong executive and then by an independent judiciary. "Closer" to justice and the general good is all we can hope for. This is because of the equality upon which the whole scheme rests. We shall not be ruled by angels and we are not ourselves angels, as *Federalist* No. 51 reminds us. Perhaps the single, ringing chord of the Constitution is that nobody is fit to rule, not a king, not the judges, not the priests, not earnest-looking, self-designated "public interest research groups," nor anybody else. We are all human, with human passions and human failings. We must rule ourselves and we must do it somehow in spite of those passions and failings. All any constitution can do for us is help us to be our best

Richard G. Stevens

selves. This is the aim of the United States Constitution, and its relative success lays its claim on our veneration and our strict adherence. It is all that stands between us and the cruelty and folly of which we, ourselves, are capable.

The Amendments

The government established by the Constitution began functioning in March of 1789. That fall, the First Congress, responding to the concerns of those who had been hesitant about ratifying the new Constitution, proposed 12 amendments limiting the new government brought into being. Ratification of the third through the twelfth of those proposed amendments by the requisite three-fourths of the states was completed by 1791 and they became the first 10 amendments. The 11th and 12th

Amendments (ratified in 1795 and 1804, respectively) may be said to correct structural defects in the original Constitution. The 13th, 14th and 15th (ratified in 1865, 1868 and 1870) fixed in the national government the power to correct certain evils the Constitution had previously left to the several states to control. As the record of the development of the 14th Amendment in the 39th Congress shows, the citizenship, privileges, and immunities, due process, and equal protection clauses of the first section of that amendment were originally intended to be vindicated principally by the *legislative*, not by the judicial, power of the United States. The 16th and 17th Amendments were ratified in 1913; the 18th in 1919; the 19th in 1920; the 20th and 21st in 1933 (the 21st repealed the 18th); the 22nd in 1951; the 23rd in

Richard G. Stevens

1961; the 24th in 1964; the 25th in 1967; and the 26th in 1971. The 27th, about which more in a moment, was finally ratified in 1992. Some 10,000 prospective amendments to the Constitution have been introduced in the Congress. In addition to the 27 that have been ratified, six others have been “proposed”—i.e., approved by two-thirds majorities in each of the houses of Congress—but have failed to be ratified by the requisite three-fourths of the states. In 1789, along with the first 10 that succeeded, Congress also proposed an amendment that would have affected the number of members of the House of Representatives and one which would have affected the compensation of the members of both houses. These two received an insufficient number of ratifications and were, seemingly,

forgotten. In 1810, Congress proposed an amendment that would have revoked the American citizenship of anyone who accepted a title of nobility or certain other grants from foreign governments. In 1861, Congress proposed an amendment that would have forbidden future amendments that interfered with state institutions (chiefly slavery).

The 20th Century

The 18th, 20th, 21st, and 22nd Amendments, when proposed, included provisions that would make them fail unless ratified within 7 years after proposal. In 1924, Congress proposed, without such a 7-year limitation, an amendment that would have empowered Congress to limit child labor. Since there were then 48 states, the ratification of at least 36 would have been necessary. So

Richard G. Stevens

far, only 28 states have ratified. Now, given that there are currently 50 states, 38 ratifications would be necessary. Supposing that the 70-year-old ratifications could now be taken seriously, 10 more would be needed. In 1972, Congress proposed an amendment prohibiting the denial or abridgment of equality of rights because of sex. It specified a 7-year limit. As the end of the 7 years approached, Congress extended that period by 3 years, but after 10 years there were still an insufficient number of ratifications and so the amendment is no longer pending. In 1978, Congress proposed an amendment that provided, "For purposes of representation in the Congress, election of the President and Vice President, and Article V of this Constitution, the District constituting the seat of the government of the United

States shall be treated as though it were a State." Of course, such an amendment would have rendered the 23rd Amendment inappropriate and so Section 3 of the proposal would have repealed the 23rd Amendment. A 7-year limitation was included in the proposal. At the end of that limitation, a sufficient number of ratifications had not been made and so the proposal is no longer pending.

An apparent answer to the question of the viability of the 70-year-old ratifications for the child labor amendment and for other proposed amendments that lacked a 7-year limitation came forth in 1992. The amendment proposed in 1789 preventing any law varying the compensation for senators and representatives from taking effect until an election for the House of Representatives had intervened had by 1791

Richard G. Stevens

received only six ratifications. Then, in 1873 Ohio ratified. In 1978, Wyoming ratified. In the 1980's, 24 more states ratified, and in the 1990's, culminating with five ratifications in 1992, making for a total of 40, the number had surpassed the required three-fourths. Questions arose as to the propriety of an amendment that lacked a ratification contemporaneous with its proposal, but Congress, after the 38th ratification by Michigan on May 7, 1992, passed a resolution declaring that the amendment was, indeed, a part of the Constitution.

Ratification of the Original Constitution

On September 17, 1787, George Washington, on behalf of the Convention, transmitted the proposed Constitution to the Congress assembled

under the Articles. Eleven days later, the Congress, by unanimous resolution, passed the proposal on to conventions of delegates to be chosen in each state. The people in New Hampshire ratified on June 21, 1788. This was the ninth ratification and, according to Article VII of the proposed Constitution, was sufficient to bring it into force. The following month, on July 26th, the people of New York, whose refusal to ratify would have driven as great a wedge into the United States as the secession of Quebec would now drive into Canada, provided the 11th ratification. The new government was established in March 1789. Later that year, the people in North Carolina provided ratification; the people in Rhode Island completed the ratification of the People of the United States in all of the original 13 states.

Richard G. Stevens

July 4th, 1976, marked the Bicentennial of the Declaration of Independence. The period between September of 1987 and March of 1989 marked the Bicentennial of the Constitution. The Bicentennial of the Ratification of the first 10 amendments was marked in 1991. If this 15-year period seems disappointingly vague, it must be remembered that one may pick a single day for celebration, but the veneration and rededication the Constitution merits will require earnest and concentrated study. Fifteen years, nay, a lifetime, will not be too long to give it.

1. *For examples of the work of Diamond, Storing, Berns, Jaffa, and other recent commentators, see Morton J. Frisch and Richard G. Stevens, American Political Thought, 2nd edition (Itasca, IL, F.E. Peacock, 1983). For a selection of the speeches and writings of American statesmen, see Frisch and Stev-*

Introduction

ens, Political Thought of American Statesmen (Itasca, IL, F. E. Peacock, 1973). For general treatment of the Constitution, see Martin Diamond, The Founding of the Democratic Republic, (Itasca, IL, F. E. Peacock, 1981) and Walter F. Berns, Taking the Constitution Seriously (Lanham, MD, James Madison Books, 1986).

THE DECLARATION of
INDEPENDENCE—1776

IN CONGRESS, JULY 4, 1776

*The unanimous Declaration of the thirteen
united States of America*

WHEN in the Course of human events,
it becomes necessary for one people to
dissolve the political bands which have
connected them with another, and to
assume among the powers of the earth,
the separate and equal station to which
the Laws of Nature and of Nature's God
entitle them, a decent respect to the

*The text of the Declaration of Independence follows that
at pages xxxix-xli, Volume 1, the 1988 Edition of the
United States Code. That of the Constitution follows
the text in House of Representatives Document 102-188,
The Constitution of the United States of America
(1992). Inconsistencies of style present in the source
texts are reproduced here.*

The Declaration of Independence

opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,—That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments

The Declaration of Independence

long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object

The Declaration of Independence

the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their

The Declaration of Independence

public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations

The Declaration of Independence

hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our

The Declaration of Independence

constitution, and unacknowledged by our laws; giving his Assent to their acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States: For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offenses:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and

The Declaration of Independence

fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy

The Declaration of Independence

scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus

The Declaration of Independence

marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our Brittish brethren We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of

The Declaration of Independence

mankind, Enemies in War, in Peace Friends.

We, THEREFORE, the Representatives of the UNITED STATES OF AMERICA, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT STATES; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which

The Declaration of Independence

Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

JOHN HANCOCK

New Hampshire

JOSIAH BARTLETT,	MATTHEW
WM. WHIPPLE,	THORNTON.

Massachusetts Bay

SAML. ADAMS,	ROBT. TREAT
JOHN ADAMS,	PAINE,
	ELBRIDGE
	GERRY.

Rhode Island

STEP. HOPKINS,	WILLIAM
	ELLERY.

The Declaration of Independence

Connecticut

ROGER SHERMAN,	WM. WILLIAMS,
SAM'EL	OLIVER
HUNTINGTON,	WOLCOTT.

New York

WM. FLOYD,	FRANS. LEWIS,
PHIL. LIVINGSTON,	LEWIS MORRIS.

New Jersey

RICH'D. STOCKTON,	JOHN HART,
JNO. WITHERSPOON,	ABRA. CLARK.
FRAS. HOPKINSON,	

Pennsylvania

ROBT. MORRIS,	JAS. SMITH,
BENJAMIN RUSH,	GEO. TAYLOR,
BENJA. FRANKLIN	JAMES WILSON,
JOHN MORTON,	GEO. ROSS.
GEO. CLYMER,	

Delaware

CAESAR RODNEY,	THO. M'KEAN.
GEO. READ,	

The Declaration of Independence

Maryland

SAMUEL CHASE,
WM. PACA,
THOS. STONE,

CHARLES
CARROLL OF
Carrollton.

Virginia

GEORGE WYTHE,
RICHARD HENRY LEE
TH. JEFFERSON,
BENJA. HARRISON,

THOS.
NELSON, JR.,
FRANCIS
LIGHTFOOT
LEE,
CARTER
BRAXTON.

North Carolina

WM. HOOPER,
JOSEPH HEWES,

JOHN PENN.

South Carolina

THOS. HEYWARD,
Junr.,
EDWARD
RUTLEDGE,

THOMAS
LYNCH,
JUNR.,
ARTHUR
MIDDLETON.

The Declaration of Independence

Georgia

BUTTON GWINNETT,	GEO.
LYMAN HALL,	WALTON.

THE CONSTITUTION of the UNITED STATES

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE. I.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION. 2. The House of Representatives shall be composed of Members chosen every second Year by

The Constitution of the United States

the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be

The Constitution of the United States

made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the

The Constitution of the United States

Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen

The Constitution of the United States

every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice

The Constitution of the United States

President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION. 4. The Times, Places and Manner of holding Elections for Senators

The Constitution of the United States

and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Place of Chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

The Constitution of the United States

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION. 6. The Senators and Representatives shall receive a Compensation for their Services, to be

The Constitution of the United States

ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

The Constitution of the United States

SECTION. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a

The Constitution of the United States

Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved

The Constitution of the United States

by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

The Constitution of the United States

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

The Constitution of the United States

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

The Constitution of the United States

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock- Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to

The Constitution of the United States

admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of

The Constitution of the United States

another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal;

The Constitution of the United States

coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign

The Constitution of the United States

Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE. II.

SECTION. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under

The Constitution of the United States

the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one

The Constitution of the United States

who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal

The Constitution of the United States

Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President,

The Constitution of the United States

and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States,

The Constitution of the United States

and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”

SECTION. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice

The Constitution of the United States

and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he

The Constitution of the United States

shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION. 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

The Constitution of the United States

ARTICLE. III.

SECTION. 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

SECTION. 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and

The Constitution of the United States

Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under

The Constitution of the United States

such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION. 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work

The Constitution of the United States

Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE. IV.

SECTION. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on demand of the

The Constitution of the United States

executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Constitution of the United States

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE. V.

The Congress, whenever two thirds of both Houses shall deem it necessary,

The Constitution of the United States

shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

The Constitution of the United States

ARTICLE. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of

The Constitution of the United States

the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth. IN WITNESS

The Constitution of the United States

whereof We have hereunto subscribed
our Names.

G^o. WASHINGTON—*Presid^t.*
and deputy from Virginia

Delaware

GEO: READ
GUNNING BEDFORD

JUN

JOHN DICKINSON
RICHARD BASSETT
JACO: BROOM

Maryland

JAMES M^cHENRY
DAN OF ST^t THO^s.
JENIFER
DAN^t CARROLL.

Virginia

JOHN BLAIR—
JAMES MADISON JR.

New Hampshire

JOHN LANGDON
NICHOLAS GILMAN

Massachusetts

NATHANIEL
GORHAM
RUFUS KING

Connecticut

W^m. SAM^t. JOHNSON
ROGER SHERMAN

New York

ALEXANDER
HAMILTON

The Constitution of the United States

North Carolina

W^m BLOUNT
RICH^d. DOBBS
SPAIGHT.
HU WILLIAMSON

New Jersey

WIL: LIVINGSTON
DAVID BREARLEY.
W^m. PATERSON.
JONA: DAYTON

South Carolina

J. RUTLEDGE
CHARLES
COTESWORTH
PINCKNEY
PIERCE BUTLER.
CHARLES PINCKNEY

Pennsylvania

B FRANKLIN
THOMAS MIFFLIN
ROB^t MORRIS
GEO. CLYMER
THO^s. FITZSIMONS
JARED INGERSOLL

Georgia

WILLIAM FEW
ABR BALDWIN

JAMES WILSON.
GOUV MORRIS

Attest WILLIAM JACKSON *Secretary*

ARTICLES in ADDITION to, and
AMENDMENT of, the
CONSTITUTION of the UNITED
STATES of AMERICA,
PROPOSED by CONGRESS, and
RATIFIED by the
LEGISLATURES of the
SEVERAL STATES,
PURSUANT to the FIFTH
ARTICLE of the ORIGINAL
CONSTITUTION

ARTICLE [I.]¹

Congress shall make no law respecting
an establishment of religion, or
prohibiting the free exercise thereof; or
abridging the freedom of speech, or of

¹Only the 13th, 14th, 15th, and 16th articles of
amendment had numbers assigned to them at the
time of ratification.

The Constitution of the United States

the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE [II.]

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ARTICLE [III.]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE [IV.]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE [V.]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be

The Constitution of the United States

subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE [VI.]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for

obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

ARTICLE [VII.]

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ARTICLE [VIII.]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

The Constitution of the United States

ARTICLE [IX.]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE [X.]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE [XI.]

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United

States by Citizens of another State, or by
Citizens or Subjects of any Foreign State.

[ARTICLE XII.]

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the

Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a

choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person

The Constitution of the United States

constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are

citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature

The Constitution of the United States

thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support

the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

The Constitution of the United States

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XVI.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States,

and without regard to any census or enumeration.

[ARTICLE XVII.]

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments

The Constitution of the United States

until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

ARTICLE [XVIII].

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SEC. 2. The Congress and the several States shall have concurrent power to

enforce this article by appropriate legislation.

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ARTICLE [XIX].

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

ARTICLE [XX.]

SECTION 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

SEC. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

SEC. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the

beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

SEC. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice

The Constitution of the United States

President whenever the right of choice shall have devolved upon them.

SEC. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

ARTICLE [XXI.]

SECTION 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

SECTION 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating

liquors, in violation of the laws thereof, is hereby prohibited.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ARTICLE [XXII.]

SECTION 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this

The Constitution of the United States

Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

ARTICLE [XXIII.]

SECTION 1. The District constituting the seat of Government of the United

States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

The Constitution of the United States

ARTICLE [XXIV.]

SECTION 1 . The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE [XXV.]

SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by majority vote of both Houses of Congress.

SEC. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President

The Constitution of the United States

pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of

Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

The Constitution of the United States

ARTICLE [XXVI.]

SECTION 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE [XXVII.]

No law, varying the compensation for the services of Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

INDEX to the CONSTITUTION and AMENDMENTS

(by article, section and amendment)

Admiralty & maritime cases, III,2

Advice and consent, II,2

Age, as qualification for public office

 president, II,1

 representatives, I,2

 senators, I,3

 voting, A26

Ambassadors

 Case controversies, III,2

 President's power, II,2-3

Amendment procedure, V

Appellate, III,2

Appointment power, II,2

Appointments, temporary, A17

Apportionment of representatives, I,2;
A14,2

Appropriation(s), I,8,9

Arms, right to bear, A2

Army, II,2

Assembly, right of, A1

Authors, I,8

The Constitution of the United States

Bail, excessive, A8
Bankruptcy, Congress' power, I,8
Bill of Rights (Amends. 1-10), A1-A10
Bills, I,7
Bills of attainder, I,9-10
Borrowing, Congress' power, I,8
Cabinet officers' reports, II,2
Census, I,2
Chief Justice, role in impeachment trials, I,3
Commander in Chief, II,2
Commerce, Congress' power, I,8
Commission of officers, II,3
Compact, I,10
Congress
 annual meetings, I,4; A20,2
 declaring war, I,8
 legislative proceedings, I,5
 members' compensation and privileges,
 I,6
 organization, I,1
 powers, I,8; A12
 special sessions, II,3
Congressional Record (Journal), I,5
Constitution, purpose, Preamble

Index

Contracts, interference by states, I,10
Controversies, court cases, III,2
Conventions, V;VII; A21
Copyrights & patents, Congress' power, I,8
Counsel, right to, A6
Counterfeiting, Congress' power to punish,
I,8
Courts (see Judiciary)
Criminal proceedings, rights of accused,
A5;A6
Currency, Congress' power, I,8
Defense, Congress' power, I,8
District of Columbia, I,8; A23
Double jeopardy, A5
Due process of law, A5; A14,1
Electoral College, II,1; A12; A23
Equal protection of laws, A14,1
Equity, II,2;A11
Ex post facto laws, I,9-10
Extradition of fugitives by states, IV,2
Fines, excessive, A8
Foreign affairs, President's power, II,2
Foreign commerce, Congress' power, I,8
"Full faith and credit" clause, IV,1

The Constitution of the United States

General welfare, Congress' power, I,8

Grand jury indictments, A5

Grievances, redress of, A1

Habeas corpus, I,9

House of Representatives

election to & eligibility for, I,2

members' terms of office, I,2;I,6

Speaker of, I,2; A24; A25,3-4

special powers

impeachment, I,2

Presidential elections, II,1;A12

revenue bills, I,7

states' representation in, I,2

vacancies, I,2

Immunities (see Privileges and immunities)

Impeachment

officials subject to, II,4

penalties, I,3

power of, lodged in House, I,2

reasons, II,4

trials, Senate, I,3

Indians, commerce with,

Congress' power, I,8

Index

Inhabitant (see Resident), I,2;I,3
International law, Congress' power, I,8
Inventors, I,8
Judiciary
 inferior courts, I,8;III,1
 judicial review, III,2
 jurisdiction, III,2
 nomination & confirmation of judges,
 II,2
 Supreme Court, III,1
 terms of office & compensation, III,1
Jury trials, III,2; A6; A7
"Lame duck" amendment, A20
Liquor, A18; A21
Marque and reprisal, letters of, I,8,10
Men (see Persons)
Militia (Military)
 congressional powers, I,8
 presidential powers, II,2
Money, I,8
National debt, VI
Native Americans (see Indians)
Naturalization, I,8
Navy, I,8;II,2

The Constitution of the United States

“Necessary and proper” clause, I,8
Nominate, II,2; A25
Oath of office, federal and state, II,1;VI
Pardons and reprieves, President's power,
II,2
People, powers reserved to, A10
Persons, A14
Petition the government, right to, A1
“Pocket veto,” I,7
Poll tax, prohibition, A24,1
Post offices & roads, Congress' power, I,8
Presidency, succession to, II,1; A20; A25
President
 disability, A25,3
 election, II,1; A12; A22; A23
 eligibility for office, II,1
 legislation, role in, I,7
 oath of office, II,1
 powers & duties, II,2-3
 term of office & compensation, II,1
Press, freedom of, A1
Privileges and immunities (of citizens),
IV,2; A14,1
Prohibition, A18; A21

Property, taking for public use, A5
Punishments, cruel and unusual, A8
Race, A15
Ratification of Constitution, V; VII
Religion, freedom of, A1
Religious oaths, VI
Resident (see Inhabitant), II, 1
Search and seizure, A4
Seas, Congress' power, I, 8
Secrecy, I, 5
Self-incrimination, A5
Senate
 election to & eligibility for, I, 3
 equal representation of states, V
 officers, I, 3
 President of, I, 3; A12
 President of, pro tempore, I, 3; A25, 3-4
 special powers
 impeachment trials, I, 3
 Presidential appointments, II, 2
 treaties, II, 2
 terms of office, I, 3; I, 6
 vacancies, A17
Slavery, prohibition, A13; A14, 4

The Constitution of the United States

Soldiers, quartering of, A3

Speech, freedom of, A1

Spending, Congress' power, I,8

State of Union message, II,3

States

 and federal elections, I,4

 formation & admission to Union, IV,3

 powers requiring consent of Congress,
 I,10

 powers reserved to, A10

 protection against invasion, violence,
 IV,4

 republican form of government
guaranteed, IV,4

 suits against, III,2; A11

Sundays, I,7

Supreme law of the land (Constitution),
VI

Taxing power, in general, I,7-8

 direct taxes prohibited, I,9

 income taxes permitted, A16

Territories, IV,3

Titles of nobility, I,9

Treason, III,3

Index

- Treaty(ies), I,10; II,2; III,2; VI
- Trial, I,3; III,2; A6; A7
- Veto, President's power, I,7
- Vice-Presidency, succession to, A20; A25
- Vice-President
 - conditions for assuming Presidency,
II,1; A20; A25
 - declaring President disabled, role in,
A25,4
 - Senate, role in, I,3;A12
 - term of office, II,1
- Voting rights, A14; A24
 - blacks, former slaves, A15,1
 - eighteen-years-old, A26
 - women, A19
- War powers (see Congress, declaring war,
powers; President, powers & duties;
States, protection against invasion)
- Warrants, A4
- Weights and measures
 - standards of, I,8
- Women (see Persons)

ISBN 0-16-042659-6



The Declaration of Independence
and
The Constitution of
the United States of America

Composed in Arrus
Titles in Caslon Open Face
Book designed and edited by
Mary A. Sommerville
Cover design by Lois Herrmann